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January 16, 1998

**By Federal Express**

Dockets Management Branch  
Food and Drug Administration  
Room 1-23  
12420 Parklawn Drive  
Rockville, MD 20857

Re: Pharmanex, Inc. Docket No. 97P-0441

Dear Sir or Madam:

We have received a letter dated January 12, 1998, from Dr. Alfred Alberts copied to this docket. Dr. Alberts' letter provides clarification regarding certain statements in my December 24, 1997, letter transmitting his December 19, 1997, letter to this docket.

First, we regret any incorrect characterization of Dr. Alberts' role in the development of lovastatin and simvastatin. The statements in question were merely an attempt to emphasize Dr. Alberts' significant role in the development of statin drugs and the widespread respect for his scientific capabilities.

Second, we have enclosed a letter from Dr. Michael Chang of Pharmanex, reflecting his recent conversation with Dr. Alberts, including an agreed-upon further clarification of the points made by Alberts in his letters.

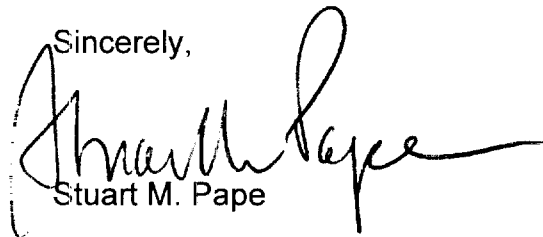
97P-0441

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Dockets Management Branch  
Food and Drug Administration  
January 16, 1998  
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On balance we believe this information adds to the large body of evidence in support of Pharmanex's position with respect to the lawful status of Cholestin red yeast rice dietary supplement.

Sincerely,

A handwritten signature in black ink, appearing to read "Stuart M. Pape", written over the typed name.

Stuart M. Pape

Counsel to Pharmanex, Inc.

Enclosure

cc: Alfred W. Alberts, Ph.D.  
Michael A. Friedman, M.D.  
William F. Schultz, Esq.  
Janet Woodcock, M.D.  
Robert Temple, M.D.  
Fred Shank, Ph.D.  
Elizabeth Yetley, Ph.D.  
Ilisa Bernstein, Pharm.D., J.D.  
Neal Parker, Esq.  
Bradford W. Williams

303829

# **Pharmanex, Inc.**

625 East Cochran Ave. Simi Valley, CA 93065-1939 Phone (805)-582-9300 Fax (805)-582-9301

Dockets Management Branch  
Food and Drug Administration, Room 1-23  
12420 Parklawn Drive  
Rockville, MD 20857

January 15, 1998

Re: Pharmanex, Inc. Docket No. 97P-0441

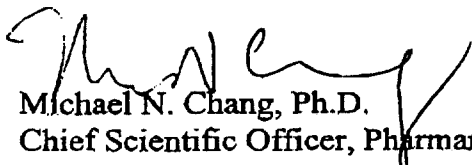
Dear Sir or Madam:

I am writing in response to Dr. Alfred W. Alberts' January 12 letter to Mr. Stuart Pape regarding a letter dated December 24, 1997.

I have spoken with Dr. Alfred W. Alberts on January 15, 1998 and together we wish to clarify several key points. It is important to note that Dr. Alberts' January 12 letter is completely consistent with the points he made in his original letter to me on December 19, 1997. Specifically (quoting from Alberts' December 19 letter as underlined below):

1. Several food yeast and fungi, specifically 17 strains of *Monascus* including *Monascus purpureus*, produce mevinolin. The quantity of lovastatin made by the producing strains varied from 0.5 to 3.0 mg/gram of rice. Cholestin contains 2.98 mg/g rice, of which 1.98 mg/g rice is mevinolin.
2. For use as a drug, lovastatin is isolated from the organism (*Aspergillus terreus*, which is not a food yeast) by solvent extraction and purified. Specifically, one means of purification as cited in U.S. Patent 4,342,767 involves crystallization of the acid form (a precursor to lovastatin), then conversion to the lactone form (lovastatin) and recrystallized to yield material that [is] greater than 99% pure lovastatin.
3. Cholestin is different than this marketed form of lovastatin which is an isolated pure product. Cholestin is a crude dried rice product.... As such it contains pigments, fatty acids, etc., as well as a range of natural HMG-CoA reductase inhibitors, including mevinolin.

Sincerely,

  
Michael N. Chang, Ph.D.  
Chief Scientific Officer, Pharmanex.

c. Alfred W. Alberts  
Stuart M. Pape

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